

REMARKS

Summary of Office Action

Claims 1-186 were pending in the above-identified patent application. Of those, claims 16-26, 38-52, 63-93, 109-119, 131-145 and 156-186 were withdrawn as being directed to a non-elected invention.

Claims 1-4, 7-11, 94-97 and 100-104 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Britt, Jr., U.S. Patent No. 6,141,678 (hereinafter "Britt") in view of Farris et al. U.S. Patent No. 5,881,131 (hereinafter "Farris"). Claims 5, 6, 13-15, 98, 99, and 106-108 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Britt and Farris, and further in view of Alexander et al. U.S. Patent No. 6,177,931 (hereinafter "Alexander"). Claims 12 and 105 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Britt and Farris, and further in view of Dillon et al. U.S. Patent Application Publication No. 2002/0059526 (hereinafter "Dillon"). Claims 27-31, 34, 35, 120-124, 127 and 128 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Britt in view of Farris and Cirasole et al. U.S. Patent No. 5,987,606 (hereinafter "Cirasole"). Claims 32, 33, 125 and 126 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Britt, Farris, and Cirasole, and further in view of Scharber et al. U.S. Patent No. 6,374,290 (hereinafter "Scharber"). Claims 36 and 129 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Britt, Farris, and Cirasole, and further in view of Dillon. Claims 37 and 130 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Britt, Farris, and Cirasole, and further in view of Alexander. Claims 53-62 and 146-155 were rejected under

Application No. 09/605,683
Amendment dated February 23, 2006
Reply to Office Action of August 24, 2005

35 U.S.C. § 103(a) as being unpatentable over Alexander in view of Farris.

Reconsideration of this application in light of the following remarks is hereby respectfully requested.

Summary of Applicant's Reply

Although applicant maintains his arguments as to the patentability of the pending claims over the cited references in his June 29, 2005 Reply to Office Action, applicant is herewith amending the claims in order to advance the prosecution of this application. Applicant has amended claims 1-4, 8, 14, 27, 28, 32, 53, 54, 60-62, 94-97, 101, 107, 120, 125, 146, 147, and 153-155 to more particularly define the claimed invention. Applicant has cancelled claims 58, 59, 151, and 152 without prejudice. No new matter has been added and the amendments are fully supported by the originally-filed specification (see, e.g., applicant's specification at FIGS. 4-6B, 25 and 26; page 31, line 27 to page 36, line 22; and page 55, line 19 to page 56, line 33). The Examiner's rejections are respectfully traversed.

The Rejections of Claims 1-15 and 94-108

Independent claims 1 and 94 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Britt in view of Farris. Dependent claims 2-15 and 95-108 were rejected under 35 U.S.C. § 103(a) using various combinations of references. These rejections are respectfully traversed.

Applicant's invention, as defined by amended independent claims 1 and 94, is directed to a method and system for allowing a user to access newsgroup listings via an interactive television application that is implemented using user television equipment. A plurality of program listings in the interactive television

application is displayed, where at least one of the program listings has at least one newsgroup listing related to the subject matter of the program listing. A user is notified of the availability of the newsgroup listing related to the subject matter of the program listing (e.g., via an icon appearing within the program listing, a pop-up icon, a pop-up window, an audio signal). The user is allowed to issue a command associated with viewing the newsgroup listing. In response to the user issuing the command, the newsgroup listing is displayed. See, e.g., applicant's specification at FIGS. 4-6B and p. 31, line 27 to p. 36, line 22.

Britt generally describes "presenting to a viewer additional information corresponding to a television program by recognizing key text data included in closed captioning" (Britt, Abstract). More particularly, a client computer receives broadcast data including program and closed captioning data. As the program is displayed, the computer determines whether the text in the closed captioning data matches key text data. If there is a match, a user-selectable interface is generated that allows the user to select to view additional information corresponding to the displayed program. See Britt, Abstract; FIG. 5; col. 1, lines 15-54; and col. 6, line 26 to col. 7, line 11.

The Examiner admits that Britt "fails to disclose the additional data is newsgroup listings" (Office Action, p. 9). Applicant respectfully submits that Britt also fails to show or suggest

[displaying] a plurality of program listings in the interactive television application on the display, wherein at least one of the program listings has at least one newsgroup listing related to the subject matter of the program

listing;

[notifying] the user of the availability of the newsgroup listing related to the subject matter of the program listing

as recited in applicant's independent claims 1 and 94 (emphasis added). Instead, in Britt, the client computer monitors the closed captioning data from the "broadcast data that is being viewed on the client computer system" to determine whether additional information related to the broadcast data is available (Britt, col. 6, lines 14-52). Britt does not show or suggest associating the additional information (i.e., newsgroup listings) with displayed program listings.

Farris also fails to show or suggest these features of applicant's independent claims 1 and 94. In fact, the Examiner admits that "the only teachings relied upon in Farris is the existence and nature of newsgroups as a source of information from the Internet" (Office Action, page 4).

Therefore, neither Britt nor Farris, whether taken alone or in combination, shows or suggests all the features of applicants' independent claims 1 and 94.

For at least the foregoing reasons, applicant respectfully submits that independent claims 1 and 94 are allowable. Claims 2-15 and 95-108, which depend from independent claims 1 and 94, respectively, are therefore also in condition for allowance.

The Rejections of Claims 27-37 and 120-130

Independent claims 27 and 120 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Britt and Farris, and further in view of Cirasole. Dependent claims 28-37 and 121-130 were rejected under 35 U.S.C.

§ 103(a) using various combinations of references.¹ These rejections are respectfully traversed.

Applicant's invention, as defined by amended independent claims 27 and 120, is directed to a method and system for providing moderated newsgroup messages to a user of an interactive television application. An automatic filter is used to moderate the newsgroup messages. Each of the newsgroup messages is associated with a respective newsgroup and is moderated to meet a predefined rating (e.g., ratings comparable to movies or television shows) associated with the respective newsgroup. The user is allowed to use the interactive television application to access the newsgroup messages. The moderated newsgroup messages are displayed to the user. See, e.g., applicant's specification at FIGS. 25 and 26 and p. 55, line 19 to p. 56, line 33.

Britt and Farris

The Examiner admits that Britt "fails to disclose the additional data is moderated newsgroup listings." The Examiner further admits that Britt and Farris "fail to disclose using an automatic filter to moderate the newsgroup messages." (Office Action, p. 16).

Cirasole

The Examiner then contends that Cirasole "teaches using automatic filters ... to moderate retrieved content displayed to a user ..." (Office Action, p. 16).

¹ Independent claims 27 and 120 were amended to incorporate some of the features of respective dependent claims 32 and 125. Claims 32 and 125 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Britt, Farris, and Cirasole, and further in view of Scharber. Therefore, in addressing the rejection of independent claims 27 and 120, applicant will address the Examiner's rejections with respect to claims 27, 32, 120, and 235.

Cirasole generally describes a method and system for filtering Internet content retrieved from an Internet computer network by a remote Internet Service Provider (ISP) server and forwarded to a local client computer (Cirasole, Abstract). More particularly, an end-user at a client computer sends a request to the ISP server for a web page or other Internet service. The ISP implements a customized filtering scheme associated with the end-user to either authorize or reject the request. See Cirasole, FIGS. 4 and 5; and col. 4, line 50 to col. 5 line 25.

Applicant respectfully submits that Cirasole fails to show or suggest

[using] an automatic filter to moderate the newsgroup messages, wherein each of the newsgroup messages is associated with a respective newsgroup and is moderated to meet a predefined rating associated with the respective newsgroup

as recited in applicant's independent claims 27 and 120. Instead, in Cirasole, the ISP applies a filtering scheme customized for a given end-user to determine whether the end-user can receive a requested web page or other Internet service. Cirasole does not show or suggest applying a filtering scheme on newsgroup messages nor applying a filtering scheme based on a predefined rating.

Scharber

The Examiner further contends that Scharber "teaches self moderated virtual communities ... wherein ratings are associated with different group ... and said ratings determine how messages in the groups are filtered..." (Office Action, p. 19).

Scharber generally describes a method for developing virtual communities, each self moderating the information distributed to clients within each of the

virtual communities. Clients within a given community rate or filter their own discussion groups based on the collective clients' preferences. See Scharber, Abstract; col. 2, lines 15-18; and col. 3, line 14-62.

Applicant respectfully submits that Scharber also fails to show or suggest the use of an automatic filter to moderate newsgroup messages based on a predefined rating associated with a respective newsgroup as recited in applicant's independent claims 27 and 120. Instead, in Scharber, the collective preferences of the clients within a virtual community are used to self moderate the discussion groups within that virtual community. Scharber does not show or suggest applying a filtering scheme on newsgroup messages based on a predefined rating.

For at least the foregoing reasons, applicant respectfully submits that none of Britt, Farris, Cirasole, or Scharber, whether taken alone or in combination, shows or suggests all the features of applicants' independent claims 27 and 120.

Moreover, applicant respectfully submits that the Examiner has failed to point to a suggestion or motivation to combine Britt, Farris, Cirasole, and Scharber to show all the features of applicants' independent claims 27 and 120. Instead, the Examiner merely states:

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of Britt to access moderated newsgroup listings, as taught by Farris, for the benefit of incorporating extremely popular and user interactive sources of information.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system disclosed by Britt and Farris to include using an automatic filter, as taught by Cirasole, for the benefit of providing control over the content delivered to users, such as providing parental control, or limiting content to specific subjects.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system disclosed by Britt, Farris, and Cirasole to include predefined ratings for newsgroups, wherein messages are filtered according to said predefined ratings, as taught by Scharber, wherein the ratings initiate the removal of predefined words from the messages, for the benefit of enabling self moderation of newsgroups to remove objectionable content from messages.

(Office Action, pp. 16 and 20).

Therefore, because none of the references, alone or in combination show or suggest all the features of applicant's independent claims 27 and 120, and because there is no suggestion or motivation to combine all the references to show all the features of applicant's independent claims 27 and 120, applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness (MPEP § 2142).

For at least the foregoing reasons, independent claims 27 and 120 are allowable. Claims 28-37, which depend from independent claim 27, and claims 121-130, which depend from independent claim 120, are therefore also in condition for allowance.

The Rejections of Claims
53-57, 60-62, 146-150, and 153-155

Claims 53-57, 60-62, 146-150, and 153-155 were rejected under 35 U.S.C. § 103(a) as being unpatentable

over Alexander in view of Farris.² These rejections are respectfully traversed.

Applicant's invention, as defined by amended independent claims 53 and 146, is directed to a method and system for displaying interactive television program guide content to a user. Television programming is displayed in a reduced sized video window in a first section of a display. Newsgroup content is simultaneously displayed in a second section of the display. Other content (e.g., an interactive advertisement, text, graphics, video) is also simultaneously displayed in a third section of the display. The subject matter of the newsgroup content is related to the subject matter of the television programming and the other content. See, e.g., applicant's specification at FIG. 13 and p. 44, lines 7-25.

Alexander generally describes "the display of, and recording control interface with, television programs, video, advertising information and program scheduling information" (Alexander, col. 1, lines 37-40). More particularly, FIG. 1 and the corresponding description of Alexander describes a television display screen 10 having a PIP window 12, panel ad windows 14 and 16, and a grid guide 22. The PIP window 12 displays a currently telecast program. Panel ad window 14 displays an ad for a future telecast program. Panel ad window 16 displays an ad for a product or service. Grid guide 22

² Independent claims 53 and 146 were amended to incorporate some of the features of respective dependent claims 58-59 and 151-152. In addressing the rejection of independent claims 53 and 146, applicant will address the Examiner's rejections with respect to claims 53, 58-59, 146, and 151-152.

displays program listings for various times and channels.
See Alexander, FIG. 1; and col. 3, line 1 to col. 4,
line 43.

The Examiner admits that Alexander "fails to disclose the additional information consists of newsgroup content" (Office Action, p. 22). The Examiner points to PIP window 12 as showing the television programming displayed in the first section, grid guide 22 as showing the additional information displayed in the second section, and ad window 14 (which displays an ad for a future telecast program) as showing the other content displayed in the third section (Office Action, pp. 22 and 24).

Although applicant's claimed invention may generally implicate the subject matter of Alexander, applicant's claimed invention patentably improves upon Alexander by simultaneously displaying television programming, newsgroup content, and other content on a display, wherein "the subject matter of the newsgroup content is related to the subject matter of the television programming and the other content" as recited in applicant's independent claims 53 and 146.

Farris also fails to show or suggest this feature of applicant's independent claims 53 and 146. The Examiner only relies on Farris to show the use of newsgroups (Office Action, page 22).

Even if one were to combine the use of newsgroups described in Farris with the television display screen of Alexander as the Examiner contends, neither reference shows or even suggests that the newsgroup content would be related to the subject matter of both the currently telecast program displayed in the PIP window and the ad for the future telecast program displayed in the panel ad window.

Therefore, neither Britt nor Farris, whether taken alone or in combination, shows or suggests all the features of applicants' amended independent claims 53 and 146.

For at least the foregoing reasons, applicant respectfully submits that independent claims 53 and 146 are allowable. Claims 54-57, 60-62, 147-150, and 153-155, which depend from respective independent claims 53 and 146, are therefore also in condition for allowance.

Conclusion

In view of the foregoing, applicant respectfully submits that this application, including claims 1-15, 27-37, 53-57, 60-62, 94-108, 120-130, 146-150, and 153-155, is in condition for allowance. Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

Evelyn C. Mak

Evelyn C. Mak
Registration No. 50,492
Attorney for Applicant
Fish & Neave IP Group
Ropes & Gray LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
(212) 596-9000